THE
GILL
GROUP
A.P.C.

Thomas R. Gill, Esq.

FILED

2008 SEP -9 PM 4:26

CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY RM DEPUTY

September 8, 2008

Magistrate Judge Cathy Ann Bencivengo
United States District Court
Southern District of California
940 Front Street
San Diego, CA 92101-8900

HAND DELIVERED SEPTEMBER 9, 2008

Re: **GLEN R. HAGEN v. NCR CORPORATION**
Case No.: 07-CV-2205-DMS-(CAB)
Trial Date: May 9, 2009 at 9:00 a.m.
ORDER FOLLOWING MANDATORY SETTLEMENT CONFERENCE dated September 5, 2008 (filed September 8, 2008)

Dear Magistrate Bencivengo:

I've reviewed the above referenced and was surprised to see a portion of the same was not mentioned at the MSC. I refer to: "The deposition [Plaintiff's] must be completed no later than September 19, 2008." I address this because I am out of state September 17, 18 and 19; therefore, had it been mentioned, I would have asked those days be excepted and the deadline be extended through at least September 24, 2008, and preferably September 26, 2008.

Also I was informed by Dr. Davidson that Plaintiff cannot handle much more than an hour at a time, and not two days in succession. I was also told by Dr. Davidson that the first session of Mr. Hagen's deposition, that is, for almost two hours, went too long and that I exceeded Dr. Davidson's recommendation by about 45 minutes.

Plaintiff hereby requests this change.

Thank you for your reconsideration.

Sincerely,

Thomas R. Gill, Esq.
The Gill Group, A.P.C.

TRG/df
Cc: Miles D. Scully, Esq. (sent this date via facsimile)
Mr. Glen R. Hagen c/o Ms. Carmen J. Hagen (sent this date via facsimile)

6046 Cornerstone Ct. W., Suite 161 • San Diego, CA 92121
(619) 286-9393 • Facsimile (858) 695-1947
trgill@gillgroupapc.com

OK PER CHAMBERS